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10 Electric Boat Corporation (identified as “General Dynamics Electric Boat”)

11
12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 J.B. HUGHES AND ASSOCIATES,
15
16 Plaintiff,

17 vs.

18 GIUNIO SANTI ENGINEERING and
19 GENERAL DYNAMICS ELECTRIC
20 BOAT,

21 Defendants.

Case No. 16-cv-0114-DMS-JMA

**DEFENDANT ELECTRIC
BOAT CORPORATION’S
NOTICE OF MOTION AND
MOTION TO DISMISS FIRST
AMENDED COMPLAINT
WITH PREJUDICE**

Hon. Dana M. Sabraw

Date: Friday, September 9, 2016

Time: 1:30 p.m.

Location: Courtroom 13A

1 **PLEASE TAKE NOTICE THAT**, on September 9, 2016 at 1:30 p.m., or as
2 soon thereafter as the matter can be heard, in the courtroom of the Honorable Dana M.
3 Sabraw, Defendant Electric Boat Corporation's Motion to Dismiss First Amended
4 Complaint with Prejudice will be heard.

5 This Motion will be and hereby is made pursuant to Federal Rule of Civil
6 Procedure 12(b)(6). Plaintiff's claims detailed at Counts II-IV of the First Amended
7 Complaint, Dkt. No. 20, should be dismissed with prejudice because Plaintiff fails to
8 state claims for intentional interference with contractual relations, intentional
9 interference with prospective economic advantage, or unjust enrichment. The basis
10 for granting Defendant's Motion is described in detail in the accompanying
11 Memorandum of Points and Authorities in Support of Defendant Electric Boat
12 Corporation's Motion to Dismiss First Amended Complaint with Prejudice.

13 This Motion is based upon this Notice, the Memorandum of Points and
14 Authorities, and such evidence and arguments that may be adduced at the hearing of
15 this matter.

16 WHEREFORE, Defendant Electric Boat Corporation respectfully requests that
17 the Court enter an Order dismissing Counts II-IV of the First Amended Complaint as
18 to Defendant Electric Boat Corporation with prejudice.

19
20
21 Dated: July 20, 2016

Respectfully submitted,

22
23 /s/ Timothy Perry
24 Timothy Perry (SBN 248543)
25 Elaine Zhong (SBN 286394)
26 WILMER CUTLER PICKERING
27 HALE AND DORR LLP

28 *Attorneys for Defendant Electric Boat Corporation*

CERTIFICATE OF SERVICE

I hereby certify that I am an attorney at Wilmer Cutler Pickering Hale and Dorr LLP. My business address is 350 S. Grand Ave., Suite 2100, Los Angeles, CA, and I am over the age of eighteen years and not a party to the above-titled action.

I certify that on July 20, 2016, I served the following documents:

- **DEFENDANT ELECTRIC BOAT CORPORATION'S NOTICE OF MOTION AND MOTION TO DISMISS FIRST AMENDED COMPLAINT WITH PREJUDICE**
- **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT ELECTRIC BOAT CORPORATION'S MOTION TO DISMISS FIRST AMENDED COMPLAINT WITH PREJUDICE**
- **[PROPOSED] ORDER**

The documents were served by electronic means via the Court's CM/ECF system to those on the Court's Electronic Mail Notice List who are currently signed up to receive e-mail notices for this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: July 20, 2016

/s/ Timothy Perry
Timothy Perry